

Call for "Hydrofracking" Ban in Watershed Reversed, According to New Press Reports; Drilling Process' Effects on Drinking Water Unclear

Washington, DC – Reps. Carolyn Maloney (D-NY), Maurice Hinchey (D-NY), and Jerrold Nadler (D-NY) yesterday wrote Lisa Jackson, Administrator of the Environmental Protection Agency (EPA), asking her to review an internal EPA decision to not call for a moratorium on hydraulic fracturing in the New York City Watershed.

As some have questioned the growing industry's ability to safely dispose of the waste, it was reported by The New York Times last Thursday that internal versions of the EPA's comments on New York's Supplemental Generic Environmental Impact Statement included a ban on so-called "hydrofracking" in the area of upstate New York that supplies drinking water to New York City—but that that prohibition was removed in the final public version.

Concerns about the hydrofracking process include the inadequacy of sewage treatment plants which might handle the millions of gallons of wastewater that are a byproduct of the process, including the plants' inability to remove potentially higher levels of radioactivity than previously known to result from the drilling method. Potential contamination of widely used sources of drinking water could also result.

Text of the letter follows below and may also be viewed here as a PDF.

March 7, 2011

Lisa P. Jackson
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator Jackson:

We write to share our concern about the recent series in the New York Times about environmental and health concerns caused by hydraulic fracturing. As Representatives from New York, we are especially troubled to read the NYT article 'Politics Seen to Limit E.P.A. as It Sets Rules for Natural Gas' (Thursday 03/03/2011) as parts of it directly concern the ongoing debate on new high-volume hydraulic fracturing to access natural gas buried under the portion of the Marcellus Shale that runs through New York.

The natural gas industry has seen tremendous growth in the last few years, and in this series, the NYT asserts that enforcement of laws and regulations have not kept pace. As you know, New York State is not issuing any new permits for hydraulic fracturing operations in the Marcellus Shale, until the state completes its Supplemental Generic Environmental Impact Statement (SGEIS). The Environmental Protection Agency (EPA) provided comments to the state on the draft SGEIS. Thursday's NYT article presents internal EPA documents showing that last year the agency's planned call for a moratorium on hydraulic fracturing in the New York City watershed was removed from the publicly released letter addressed to the state. According to the article, the moratorium advice was removed from the publicly released letter because of "politics". This allegation is very disturbing.

From testimony you provided last week before the House Appropriations Subcommittee on Interior, Environment, and Related Agencies, we understand that you went to Pennsylvania to assess the very concerning reports that have come out about EPA's oversight of drilling waste in that state. We ask that you also look into contamination concerns in New York and look into the withdrawal of the planned call for a drilling moratorium in the New York City Watershed. We look forward to hearing back from you on the matter.

Sincerely,

Rep. Carolyn B. Maloney
Rep. Maurice D. Hinchey
Rep. Jerrold Nadler

Cc: Judith Enck, Regional Administrator for the Region 2, EPA